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EXAMINER

COLBERT, ELLA

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 08/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

08/863,047

Applicant(s)

ITO ET AL.

Examiner

Ella Colbert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 4, 9, 10, 12, 13 and 15-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 4, 9, 12, 13, and 15-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### DETAILED ACTION

1. Claims 1, 3, 4, 9, 10, 12, 13, and 15-46 are pending. Claims 1, 4, 9, 10, 12, and 13 have been amended and claims 8 and 11 have been cancelled in this communication filed 06/04/03 entered as Amendment G, paper no. 31.
2. The 35 U.S.C. 112 second paragraph rejection of claim 1 and 9-13 has been overcome by Applicants' amendment to claims 1, 9, 10, 12, and 13 and the cancellation of claim 11 and is hereby withdrawn.
3. The Claim Objection to claims 1 and 4 is hereby withdrawn in view of Applicants' arguments.
4. The Objection to the Specification has been overcome by Applicants' amendment to the Specification and is hereby withdrawn.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 6,243,724) Mander et al, hereafter Mander in view of (US 5,923,845) Kamiya et al, hereafter Kamiya.

With respect to claim 1, Mander teaches, a folder retaining means for retaining a plurality of folders each of the folders existing at a position in a sort structure and storing at least one document (col. 7, lines 23-51 and col. 8, lines 31-46); and a candidate folder selecting means for selecting a plurality of candidate folders suitable for storing a new document as a folder to be stored, by comparing a feature of the new document with an average of features of documents stored in a folder ...; (col. 9, lines 50-48).

Mander did not teach, a new document retaining means for retaining a new document; a notifying means for notifying said a plurality of candidate folders selected by said candidate folder selecting means to a user; and storing means for storing the new document into a selected folder selected by the user from the plurality of candidate folders, without changing the position in the sort structure.

Kamiya discloses, a new document retaining means for retaining a new document (col. 9, lines 29-67 and col. 10, lines 1-4); a notifying means for notifying said a plurality of candidate folders selected by said candidate folder selecting means to a user (col. 9, lines 1-28); and storing means for storing the new document into a selected folder selected by the user from the plurality of candidate folders, without changing the position in the sort structure (col. 10, lines 4-50). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a new document retaining means for retaining a new document; a notifying means for notifying

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said a plurality of candidate folders selected by said candidate folder selecting means to a user; and storing means for storing the new document into a selected folder selected by the user from the plurality of candidate folders, without changing the position in the sort structure because such a modification would enhance Mander's document classification system by providing a sort structure.

7. Claims 3, 4, 9, 10, 12, 13, and 15-46 rejected under 35 U.S.C. 103(a) as being unpatentable over Mander and Kamiya as applied to claim 1 above, and further in view of (US 5,832,470) Morita et al, hereafter Morita.

With respect to claim 3, Mander and Kamiya did not teach, candidate folders suitable for saving the new document are selected and a list of selected candidate folders is displayed. Morita discloses, candidate folders suitable for saving the new document are selected and a list of selected candidate folders is displayed (col. 16, lines 29-52). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have candidate folders suitable for saving the new document are selected and a list of selected candidate folders is displayed and to modify in Mander and Kamiya because such a modification would allow Mander and Kamiya to have a hierarchy of folders with first hierarchy being the top class as a result of the classification and the equal number of folders for the lower rank of each folder listed.

With respect to claim 4, Mander and Kamiya did not teach, a judging means for judging a similarity degree between document information of a new document to be stored and a plurality of sets of information of documents stored in folders existing at a

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position in a sort structure; a similarity order calculating means for calculating a similarity order of a plurality of folders in accordance with the similarity degree judged by the judging means and a notifying means for notifying the plurality of folders together with the similarity order calculated by said similarity order calculating means to a user. Morita teaches, a judging means for judging a similarity degree between document information of a new document to be stored and a plurality of sets of information of documents stored in folders existing at a position in a sort structure (col. 13, lines 13-25); a similarity order calculating means for calculating a similarity order of a plurality of folders in accordance with the similarity degree judged by the judging means (col. 13, lines 26-35) and a notifying means for notifying the plurality of folders together with the similarity order calculated by said similarity order calculating means to a user (col. 12, lines 42-67). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a judging means for judging a similarity degree between document information of a new document to be stored and a plurality of sets of information of documents stored in folders existing at a position in a sort structure; a similarity order calculating means for calculating a similarity order of a plurality of folders in accordance with the similarity degree judged by the judging means and a notifying means for notifying the plurality of folders together with the similarity order calculated by said similarity order calculating means to a user and to modify in Mander and Kamiya because such a modification would allow Mander and Kamiya to have a folder for storing a document judged as noise and only prepared in the folder in which a noise

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document exists and it can be judged that the inside of the single key word folder can be classified in detail.

This independent claim is rejected for the similar rationale given above for claim 1.

With respect to claim 9, this independent claim is rejected for the similar rationale given for claims 1 and 4.

With respect to claim 10, this independent claim is rejected for the similar rationale given for claim 4.

With respect to claim 12, Mander teaches, a computer readable storage medium for storing programs (col. 5, lines 43-54 (hard disk)). This independent claim is also rejected for the similar rationale given for claims 1 and 9.

With respect to claim 13, this independent claim is rejected for the similar rationale given for claims 1, 4, 9, and 10.

With respect to claim 15, this dependent claim is rejected for the same rationale given for claim 3.

With respect to claim 16, this dependent claim is rejected for the same rationale given for claims 3 and 15.

With respect to claim 17, Mander and Kamiya did not teach, updating the feature of the folder in response to saving the new document in the candidate folder. Morita discloses, updating the feature of the folder in response to saving the new document in the candidate folder (col. 14, lines 5-10). It would have been obvious to one having ordinary skill in the art at the time the invention was made to update the feature of the

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folder in response to saving the new document in the candidate folder. Morita teaches, updating the feature of the folder in response to saving the new document in the candidate folder and to modify in Mander and Kamiya because such a modification would allow Mander and Kamiya to have a pointer to a child folder (new document) information list and a pointer to the parent folder (candidate folder) information list of the classification hierarchy.

With respect to claim 18, Mander and Kamiya did not teach, the document includes vector data. Morita teaches, the document includes vector data (col. 11, lines 20-36). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the document include vector data and to modify in Mander and Kamiya because such a modification would allow Mander and Kamiya to have the distance of the word vector and the average vector of each document calculated.

With respect to claim 19, Mander teaches, the candidate folder has a high-level rank as determined by the result of the comparison (col. 1, lines 66-67 and col. 2, lines 1-11).

With respect to claim 20, Mander and Kamiya did not teach, a notifying means displays a label which is set in advance to indicate the candidate folder. Morita discloses, a notifying means displays a label which is set in advance to indicate the candidate folder (col. 25, lines 19-35). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a notifying means displays a label which is set in advance to indicate the candidate folder and to modify in Mander and Kamiya because such a modification would allow Mander and Kamiya to



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have the folder retrieval supporting process indicated to the retrieval supporting function (notifying means) and displaying the first hierarchy arranged in order of the number documents. It is inherent that the label of the candidate folder would be at the top of the hierarchy.

With respect to claim 21, Mander teaches, the document includes text data (col. 2, lines 32-40). It is inherent that electronic mail documents contain text data.

With respect to claim 22, Mander teaches, a selected candidate folder (col. 18, lines 33-53). Mander, Kamiya, and Morita did not teach, saving the new document, but it is well known in the art by one having ordinary skill in the art to save a new document to a folder because a user can retrieve the saved document from the folder and work on the document when the document is needed.

With respect to claim 23, this dependent claim is rejected for the similar rationale given for claim 17.

With respect to claim 24, this dependent claim is rejected for the similar rationale given for claim 18.

With respect to claim 25, this dependent claim is rejected for the similar rationale given for claim 19.

With respect to claim 26, this dependent claim is rejected for the similar rationale given for claim 20.

With respect to claim 27, this dependent claim is rejected for the similar rationale given for claim 21.

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With respect to claim 28, this dependent claim is rejected for the similar rationale given for claim 22.

With respect to claim 29, this dependent claim is rejected for the similar rationale given for claim 23.

With respect to claim 30, this dependent claim is rejected for the similar rationale given for claims 18 and 24.

With respect to claim 31, this dependent claim is rejected for the similar rationale given for claims 19 and 25.

With respect to claim 32, this dependent claim is rejected for the similar rationale given for claim 20.

With respect to claim 33, this dependent claim is rejected for the similar rationale given for claim 21.

With respect to claim 34, this dependent claim is rejected for the similar rationale given for claims 22 and 28.

With respect to claim 35, Mander and Kamiya did not teach, a notification only for a predetermined number of folders with a high rank of similarity order. Morita discloses, a notification only for a predetermined number of folders with a high rank of similarity order (col. 12, lines 42-64). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a notification only for a predetermined number of folders with a high rank of similarity order and to modify in Mander and Kamiya because such a modification would allow Mander and Kamiya to

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have a first hierarchy or top class of the classification system when the key word is related (high rank of similarity order).

With respect to claim 36, Mander and Kamiya did not teach, the document is stored in a folder mentioned in the notification provided by the notifying means. Morita teaches, the document is stored in a folder mentioned in the notification provided in the notifying means (col. 12, lines 65-67 and col. 13, lines 13-19). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the document stored in a folder mentioned in the notification provided in the notifying means and to modify in Mander and Kamiya because such a modification would allow Mander and Kamiya to have a single key word folder since documents attracted to one key word are stored as mentioned in a notification.

With respect to claim 37, this dependent claim is rejected for the similar rationale given for claim 26.

With respect to claim 38, this dependent claim is rejected for the similar rationale given for claim 27.

With respect to claim 39, this dependent claim is rejected for the similar rationale given for claim 35.

With respect to claim 40, Mander and Kamiya did not teach, the document is stored in at least one folder mentioned in the notification in the notifying step. Morita teaches, the document is stored in at least one folder mentioned in the notification in the notifying step (col. 12, lines 65-67 and col. 13, lines 13-19). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the

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document stored in a folder mentioned in the notification provided in the notifying means and to modify in Mander and Kamiya because such a modification would allow Mander and Kamiya to have a single key word folder since documents attracted to one key word are stored as mentioned in a notification.

With respect to claim 41, this dependent claim is rejected for the similar rationale given for claims 26 and 37.

With respect to claim 42, this dependent claim is rejected for the similar rationale given for claim 33.

With respect to claim 43, this dependent claim is rejected for the similar rationale given for claims 35 and 39.

With respect to claim 44, this dependent claim is rejected for the similar rationale given for claim 40.

With respect to claim 45, this dependent claim is rejected for the similar rationale given for claim 41.

With respect to claim 46, this dependent claim is rejected for the similar rationale given for claim 33.

### **Conclusion**

8. The prior art made of record and not relied upon is considered pertinent to Applicants' disclosure.

Conley (US 5,689,626) disclosed linking a file to a document.

Bennett et al (US 5,615,367) disclosed linking tables and documents.

### **Response to Amendment**

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9. Applicants' arguments with respect to claims 1, 3, 4, 9, 10, 12, 13, and 15-46 have been considered but are moot in view of the new ground(s) of rejection.

#### **Inquiries**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday from 6:30 am -5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for Official communications and 703-746-5622 for Unofficial communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

  
E. Colbert  
August 12, 2003